IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 20TH JULY 2007 / 29TH ASHADHA 1929

Bail Appl..No. 4261 of 2007()

CC.214/2004 of J.M.F.C.-III,TRIVANDRUM
CRIME NO.99/2004 OF THAMPANOOR POLICE STATION

.....

: PETITIONER/2ND ACCUSED

CHANDRAN, S/O. APPU, AGED 25 YEARS,
ROADARUKATHU VEEDU, NEAR SALVATION ARMY CHURCH,
CHEMBOORU VALIYA VAZHI, ELAMBANA WARD,
KEEZHAROOR VILLAGE.

BY ADV. SRI.R.GOPAN

RESPONDENTS: COMPLAINANT

---

1. STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. SUB INSPECTOR OF POLICE,
THAMPANOOR POLICE STATION.

BY PUBLIC PROSECUTOR SRI.P.RAVEENDRA BABU

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/07/2007, ALONG WITH BA NO. 4263 OF 2007, BA NO.4264 OF 2007, BA NO.4265 OF 2007 & BA NO. 4266 OF 2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.Nos.4261, 4263, 4264, 4265 & 4266 of 2007

Dated this the 20th day of July, 2007

ORDER

Application for regular bail. The petitioner faces indictment in 5 different prosecutions, all pending before the Judicial Magistrate of the First Class-III, Trivandrum. The petitioner faces allegations under Sections 401 and 379 read with 511 I.P.C. The petitioner has criminal antecedents. He is involved in crimes of theft and other related crimes. The petitioner continues in custody from 27.02.2007 in these cases, he having been produced before the learned Magistrate on a production warrant issued against him as he was detained in some other crimes.

2. The learned counsel for the petitioner submits that the petitioner has remained in custody from 27.02.2007. In these circumstances, the petitioner may now be enlarged on bail, it is submitted.

3. The learned Public Prosecutor opposes the application. The petitioner has criminal antecedents. If he were released on bail, he will not be available for trial. It is submitted that the trial in these cases has already commenced.

4. Report of the learned Magistrate was called for. In the report, the learned Magistrate reports that all the 5 cases are posted

for trial to 26.07.07. The learned Magistrate undertakes that the trial shall be expedited and it shall be completed by 20.09.07.

5. Having considered all the relevant inputs, I am of the opinion that it would be sufficient in the facts and circumstances of this case to direct the learned Magistrate to complete the trial as expeditiously as possible - at any rate, prior to 30.09.07. Compliance shall be reported to this Court. If cases are not disposed of by that date, the petitioner shall be at liberty to approach this Court again for bail. Every endeavour shall be made by the learned Magistrate to comply with the undertaking - to dispose of all the cases by 20.09.07.

(R.BASANT, JUDGE)

rtr/-